G. R. S. IX-5]

Previous references.

1898-99

191

(~~Judicial~~ ~~Police~~ Police

Later references.

File No. 123 of 98.

Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

12

Part B for 1898

SUBJECT.

juris-diction over the Birur - Shimoga Railway.

~~2081~~ 3894 d 1.9.99. From the F.A.R in dly ~~333 Pol~~ 153.99

Lord Impress that the Government of India accept the views of the Dur-bar and allow the juris-diction over the Birur Shimoga Railway subject to certain conditions

W D 88—GPB—50,000—24-7-16

Indexed

KB

P&R 15/6

OFFICE OF THE DEWAN MYSORE
10632 1899
5 MAY

From The Field Assistant to the Resident in Mysore

To Dewan

THE ~~SECY. TO THE GOVT.~~ OF MYSORE,
~~GEN. & REV. DEPTS.~~

Dated

Despatched 13/5/99

Received

General No. 2093

No. 153-99

Enclosure No.

Stating that, in view of the approaching opening of the Birur - Shimoga branch line, it is necessary to consider the question of jurisdiction &c.

References to be marked.

Subd to Secy with the file obtained from the D.C.&. The Office took some time in finding where the file was (vide slips attached)

A subsequent comm^n dd 25/5/99 is also subd. 3/6/99

Secy & Dewan.

Please see para 2 of S

No. 2093
153.99.

Put up the file
at once
15-5-99

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 13th May 1899.

SIR,

I am directed to state that, in view of the approaching opening of the Birur-Shimoga branch line it is necessary to consider the question of jurisdiction thereon.

2. In this connection, I am to invite attention to paragraph 3 of this office letter No.985-479.88 dated the 21st March 1893, and to say that the Resident would be glad to know whether he may inform the Government of India that the Durbar are prepared to cede jurisdiction on the branch line in question, so soon as it is opened for traffic.

42

I have the honor to be

Sir,

Your most obedient servant

Hobbs

First Assistant Resident.

Pol 1577

72

OFFICE OF THE DEWAN OF MYSORE
10915
27-5-99
1899

From The First Assistant to the Resident in Mysore

Police
123 F 6
7 2

To Dewan

THE ~~SECY. TO THE GOVT.~~ OF MYSORE,
~~GEN. & REV. DEPTS.~~

Dated 25/5/99

Despatched

Received

General No. 2283

No. 1699

Enclosure No. are

Suggesting that, if the Bombay are prepared to cede jurisdiction on the Birur-Shimoga branch line, a declaration in the enclosed form, may be furnished to this Office.

References to be marked.

Submitted to Secy to GG 31/5/99

No. 2283 Eng.
169-99

Rec'd 26-5-99

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

TO

The Dewan of mysore.

Dated Bangalore, 25th May 1899.

SIR.

In Continuation of my letter no: 2093 Dated the 13th Instant, I am directed to suggest that, if the Durbar are prepared to Cede jurisdiction on the Birij Shimoga branch line, a declaration in the accompanying form, which has recently been adopted by the Governme of India in Similar Cases, may be furnished to this office.

I have the honour
Sir
Your Most obedient S

H. Clarke
for 1st Assistant Res.

I, of

hereby cede to the British Government full and exclusive power and jurisdiction of every kind over the lands in the said State which are, or may hereafter be, occupied by the Railway (including all lands occupied for stations, for out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands.

Office of the Dewan of Mysore
Dated Bangalore 6th July 1897

No. 3

Se Poli 23 of 98

From

The Dewan of Mysore

To

The Resident in Mysore.

79

Sir,

I have the honour to acknowledge the receipt of your office letters of the 13th and the 25th May last Nos. 2073 and 2203 on the question of jurisdiction over the Birur-Shimoga Railway; and in reply I beg to express the earnest desire of the Darbar ~~to be allowed to retain the jurisdiction over this line~~

That, in view of the special circumstances attaching to this Railway, as detailed below, the orders of the Govt of India conveyed in para 3 of your office letter no 985-479-88 dy the 21st March 1893 may kindly be reconsidered so as to leave undisturbed the Darbar's jurisdiction in this instance.

The Railway in question is a very short isolated line, not more than 37·97 miles in length, which, ~~diverging~~ starting at Birur from the main State Railway ~~Bangalore-Haribar line, system at Birur~~, terminates abruptly at a point in the middle of the State cut off from further railway communication with the outside world It is not an extension or offshoot of the main section of the State Railway, but is rather of the nature of a ~~detached~~ special feeder to that line. It has been constructed out of State revenues with the object primarily of providing improved facilities for communication in a Malnad region subject to heavy rains and of bringing the areca-prod-

ducing tracts ~~of~~ of that region within easy reach of railway communication.

The Darbar cheerfully recognise that the assumption by the British Government of the jurisdiction over lines forming part of the general network of railways (such as the Bangalore-Harihar and Yesvantpur-Hindupur lines) is based upon the general administrative convenience. But they ~~feel~~ are confident that, in the case of a line so entirely subservient to purely local interests as is the Birur Shimoga Railway, no practical inconvenience will result from the jurisdiction being left in their hands; ~~the more so because~~ no such inconvenience has ~~shown itself~~ in the case of the much longer and more important Railway from Bangalore to Nanjangode.

and I may here appeal to the fact that ~~some~~ hitherto arisen, or is likely to arise hereafter!

The Darbar are the more anxious ~~to~~ to be allowed to retain the jurisdiction in the present case, as they feel that any surrender thereof while His Highness the Maharaja is still in his minority (supposing that the British Government is disposed to press for such a step) is sure to be regarded with extreme disfavour by all classes of the people in the State.

Under these circumstances I beg that the British Government will be pleased to waive a cession of juris

diction

diction on the newly constructed feeder line, and to allow the Darbar to exercise the same on conditions similar to those laid down in para 3 of your office letter No. 985--479-88, dated the 21st March 1893, in the case of the Bangalore-Nanjangode Railway, namely, that, if the line should in the future form part of a through railway or if Imperial interests should render such a course desirable, the Darbar will be prepared to transfer the jurisdiction to the British Government. These conditions appear to be sufficient to effectively protect all interests involved.

With regard to the revised form of declaration of cession of jurisdiction, a copy of which was furnished with the second of the letters under reply, I have the honour to state that the effect of it does not appear to be different from that of the transfers already made by the Darbar, as regards the Railways noted in the margin, and that, accordingly, the new form, though not required in the present case, ~~would seem to be suitable for general adoption~~, subject, of course, to the continuance of arrangements as regards surrender of criminals, and reciprocal service and execution of processes and decrees, ~~such as have been~~ which are now in existence by virtue of Part I of the Govt. of India Notifn, No. 507-I of the 6th Feb. 1896 and para 4 of your office letter No. 634 of the 26th idem

Bangalore Branch of the Madras Ry
Harihar - Bangalore line
Hindupur - Bangalore line
Kolar Gold Fields Railway

; in every way suitable & to such as the Darbar will gladly adopt in the case of any transfer of Railway jurisdiction existing & prospective,

I have etc

OFFICE OF THE
2087
2-9-99
DEWAN

Vol 333

From The H. A Resident in Mysore

To

THE SECY. TO THE GOVT. OF MYSORE.
GEN. & REV. DEPTS.

Dated 1. 9. 99.

Despatched

Received

General No. 3894

No. 153.99.

Enclosure No.

Informing that the Government of India accept the views of the Durbar and allow them to exercise the jurisdiction over the Birur Shimoga Railway subject to certain Conditions.

References to be marked.

Submitted to Secretary

No references are in D. C. O.

2/9/99. X X

2/9/99

Placed to record

2/9/99 pr

No. 3074
15-3-99

From

The FIRST ASSISTANT to the RESIDENT in MYSORE.

Rec'd 2/1/99 A/C

To

The Dewan of Mysore.

Dated, Bangalore, 1st September 1899

Sir,

I am directed to reply to your letter No.3-D dated the 6th July 1899 in which you stated the desire of the Durbar to retain jurisdiction over the Birur-Shimoga railway

2. The Government of India accept the view that the railway is an isolated local line and that Imperial interests do not at present require that jurisdiction should be exercised over it by the Paramount Power. Jurisdiction on the line may therefore remain with the Mysore Government subject to the conditions specified in the marginally cited letter

1 the 1st Assistant Resident No.529/382-90 ated the 10th February 1894.

and on the understanding that jurisdiction will be ceded without demur in the event of the line being extended beyond the limits of the Mysore State, or being connected with another railway so as to form a through line of communication, or if Imperial interests otherwise demand the cession.

3. The general rules for working open line railways which may, for the time being, be in force on the

the Southern Mahratta Railway, should be brought into force on the Birur-Shimoga Railway, under section 31 of the Mysore railways regulation, IV of 1894 and the usual conditions as to services rendered to the Postal and other Government Departments, the provision and maintenance of telegraph lines, police arrangement etc, should be embodied in the working agreement referred to in ~~this office~~ letter No. 374, dated the 14th June 1899, from the Secretary to the Govt: of Mysore for Railways.

4. The Resident will be glad to receive detailed information as to the arrangements you intend to make in respect of Police and jurisdiction over the Birur-Shimoga line. In the interests of the Durbar (apart from other considerations) it is clearly desirable that the arrangements should be thoroughly effcient.

I have the honor to be

Sir,

Your most obedient servant

First Assistant Resident